

REMARKS

Claims 1-9, 18-23, 37-47, and 126-177 remain pending in this application. Based on the foregoing amendments and following remarks, reconsideration and allowance of this application is respectfully requested.

Drawing Objections-37 C.F.R. §1.83(a)

The drawings stand objected to under 37 C.F.R. §1.83(a) for failing to illustrate the new limitations of claims 1 and 20. Applicant respectfully traverses this objection, since the new limitations are indeed illustrated in Figs. 12(a) and 12(b). As there shown, the proximal end of the sheath body of the primary stimulation lead 104 extends from the opening 24 in the patient's back to an external location, while the sheath body of each of the secondary stimulation lead(s) 204 is entirely received within the patient's spine. Notably, as illustrated in Figs. 12(a) and 12(b), it is the electrical conductors 242, and not the sheath bodies, of the secondary lead(s) 204 that extends from the opening 24 in the patient's back.

As such, Applicant respectfully requests withdrawal of the drawing objections.

Claim Rejections-35 U.S.C. §112

Claims 1-9, 18, and 19 stand rejected under 35 U.S.C. §112, second paragraph as being indefinite. In particular, the Examiner stated that claim 1 is "unclear as to where the first elongated body extends to in the back when disposed within the patient's spine," and that "it is indefinite as to how the first elongated body is "configured for extending."

While Applicant believes that claim 1 is definite, in order to expedite the prosecution of this application, claim 1 has been amended to further clarify that the proximal end of the

first elongated body is configured for extending from an opening in the patient's back to an external location when the distal end of the first elongated body is disposed within the patient's spine. It is the length of the proximal end of the first elongated body that allows it to be configured to extend from the patient's back in this manner.

As such, Applicant respectfully requests withdrawal of the §112 rejections of claims 1-9, 18, and 19.

Claim Rejections-35 U.S.C. §102

Claims 1, 2, 4-9, 18, and 19 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 7,072,719 ("Vinup"). Applicant respectfully traverses this rejection, since Vinup does not disclose each and every element required by these claims, as amended.

In particular, the Examiner concluded that Fig. 2-5 of Vinup show the first and second leads as having different lengths, with the first elongated body 23 being longer than any of the second lead bodies 26 when engaged along side of it. Although the distal end of the first elongated body 23 is illustrated as extending distally to the distal ends of the second elongated bodies 26, this does not mean that the first elongated body 23 is longer than the second lead bodies 26.

Notwithstanding this, there is no express or inherent disclosure in Vinup that the proximal end of the first elongated body 23 extends from an opening in the patient's back when the coupling mechanisms are completely engaged with each other, and when the second elongated bodies 26 are entirely disposed within the patient's spine. The fact that the first elongated body 23 distally extends further than the second elongated bodies 26 is

irrelevant to this determination. In fact, Fig. 1 illustrates that the only way that the proximal end of the first elongated body 23 extends from the patient's back only when the proximal ends the second elongated bodies 26 also extend from the patient's back.

Thus, Applicant submits that independent claim 1, as well as the claims depending therefrom (claims 2, 4-9, 18, and 19), are not anticipated by Vinup, and as such, respectfully request withdrawal of the §102 rejection of these claims.

Claim Rejections-35 U.S.C. §103

Claims 3, and 20-23 stand rejected under 35 U.S.C. §103, as being obvious over Vinup in view of U.S. Patent No. 6,578,733 ("Cross"). Applicant respectfully traverses this rejection, since no proper combination of Vinup and Cross discloses, teaches, or suggests the combination of elements required by these claims.

In particular, as discussed above, Vinup does not disclose, teach, or suggest having a second stimulation lead shorter than a first stimulation, such that the proximal end of the first elongated body is configured for extending from an opening in the patient's back when the distal end of the first elongated body is disposed within the patient's spine, and the second elongated body is configured for being entirely received within the patient's spine when the complementary coupling mechanism is slidably and completely engaged with the coupling mechanism, as required by independent claim 1. Cross does not supplement this failed teaching.

Thus, Applicant submits that independent claim 1, as well as the claimed depending therefrom (claims 3 and 20-23), are not obvious over any proper combination of Vinup and Cross, and as such, respectfully request withdrawal of the §103 rejections of these claims.

Allowable Subject Matter

Applicant graciously acknowledges the allowance of claims 37-47 and 126-177.

Conclusion


Based on the foregoing, it is believed that all claims are now allowable and a Notice of Allowance is respectfully requested. If the Examiner has any questions or comments regarding this response, the Examiner is respectfully requested to contact the undersigned at (949) 724-1849.

Respectfully submitted,

VISTA IP LAW GROUP LLP

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By:



Michael J. Bolan  
Reg. No. 42,339

Customer No. 23410  
Vista IP Law Group LLP  
2040 Main Street, 9<sup>th</sup> Floor  
Irvine, CA 92614